



Tyngsborough Board of Health

Town Hall
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Fred Wendt, Chairman

Bernadette Harper
Christopher Mellen

Sheila Perrault, Vice-Chairman
Patricia Quinn

Board of Health Meeting Minutes

September 26, 2011

Members Present: Fred Wendt (FW), Sheila Perrault (SP) - late, Christopher Mellen (CM), Bernadette Harper (BH)

Also Present: Kerri C. Oun (KO) – Health Agent, Karen Steeves (KS) – Assistant Administrator, Matt Waterman (MW) – Landtech Consultant

6:05 Meeting Opened:

BH: Made motion to open meeting

CM: 2nd the motion

Vote: Yes – 3 Opposed – 0

6:06 Meeting Minutes

CM: Made motion to accept minutes of July 11, 2011

BH: 2nd the motion

Vote: Yes – 3 Opposed – 0

6:12 355 Middlesex Road

Jeff Hannaford of Norse Designs, representing 355 Middlesex Rd., was present to address the concerns that are preventing the issuance of a Certificate of Compliance for the permit of Skate 3. Skate 3 did not add an exterior grease trap due to the inaccessibility of the pipes. The pipes were too far away. Jeff Hannaford had contacted the MassDEP for information regarding average oil and grease quantities generated by residents. The testing of the effluent at Skate 3 is comparable with residential. Results of testing submitted. The food service at Skate 3 has limited menu. In addition, Skate 3 and Roller Kingdom have internal grease trap. The internal grease trap and the effluent filters are being maintained. As per MW requirement, a deed restriction for the pump is drafted but Mr. Hannaford wanted to make sure that Board is satisfied with the information he provided before registering the deed. CM questioned the capacity for the internal grease trap. Mr. Hannaford did not know the capacity.

BH: Made motion to sign off on the certificate of compliance pending deed restriction for the pump.

SP: 2nd the motion

Vote: Yes – 4 Opposed – 0

6:30 1 Colorado Drive

Mr. Duncan Brown, representing owner Gail Radville, was present to request a variance for a setback of soil absorption system from 10 feet to 5 feet from property line. The system has failed 3 times and this will be the third replacement system. Originally, the owner was going to replace the system with a White Knight, a septic tank treatment system but the owner did not submit plan with request for variance. After reviewing request, MW recommended rejecting system due to lack of information and plan. Owner changed her mind and decided to go with a Presby Enviro-Septic

System. Mr. Duncan Brown evaluated current system and suspected that system failed due to clogging overtime and that the leaching field was inundated. The top materials are mostly fill and as it goes down, the materials are glacial tilt. He proposed an area towards the back of the house for system but the new area does not meet the 10 feet setback requirement per 310 cmr 15.211(1). A variance is requested for the 5 feet setback from property line instead of 10 feet.

SP: Made motion to grant variance for setback of soil absorption from 10 feet to 5 feet from property line.

BH: Second the motion

Vote: Yes – 4 Opposed - 0

6:45 176 Massapoag Road

Kevin Ritchie of Civil Solutions Inc. was present on behalf of owner, Lucy Sargent. Due to limited available land area, offsets to private drinking water wells and the proximity of Lake Massapoag, Mr. Ritchie is seeking variances:

1. To reduce the offset from a leaching area to a property from 10 feet to 3 feet.
2. for 22% reduction in the required subsurface disposal area design requirements.
3. To reduce the offset from a leaching area to a private on-site well from 100 feet to 63 feet.

A leaching pit will be used instead of a leaching field. At this time, MW does not have issue with variances requested.

SP: Made motion to approve variances with conditions set by MW's letter dated September 26, 2011.

BH: Second the motion

Vote: Yes – 4 Opposed – 0

6:57 August 22, 2011 Meeting Minutes

SP: Made motion to accept minutes

BH: Second the motion

Vote: Yes – 3 Opposed – 0

6:58 Health Fair

CM will be attending the Education Foundation Meeting this Wednesday. Education Foundation has sent out the letters to potential sponsors. CM will be meeting with St. Medical Center this coming Wednesday.

7:10 Public Health District Incentive Grant

KO provided overview and updates on the grant. Implementation grant fund will be utilized for shared public health nursing services for communicable disease and to promote healthy weight in community. 5 potential participating communities are Lowell, Dracut, Tewksbury, Chelmsford, and Tyngsborough. The grant is for 4 years with year 1 and 2 fully funded, year 3 at 75% and year 4 at 50%. Year 4 costs will be shared by the municipalities at an estimated cost of \$5,000 to \$10,000. Board of Health members will be required to complete formal Board of Health training. At this point, the Board needs to decide whether to proceed or not. FW recommended not going forward with grant due to funding for year 4. All board members concurred.

7:20 Wicasse Park

KS has sent letters to Ron Corcoran (contractor) and cc Youth Baseball Secretary regarding inspection of the system before occupancy sign off but never received a response. She sent another letter to the Board of Youth Baseball. Phil Sutherland, secretary of Youth Baseball, had contacted KS and wanted to get on this month's agenda. Due to the full agenda, KS informed Mr. Sutherland that he has put in writing to get on the agenda for next month's meeting. Mr. Sutherland has also contacted the BOH Chairman, FW, questioning the situation. The matter was never formally brought before the Board but has been discussed. MW recalled having a discussion with the Ron Corcoran and Jeff Hannaford that he will inspect the D-box to ensure that the system is operating

OK. To get a sign-off on the occupancy, MW has to check the D-box to ensure that there are no issues.

7:36 **Flu Vaccine**

The State provided only 100 doses of vaccine and are only allowed to give to adults who are under-insured or no insurance and to kids under 18 years of age. The vaccines we received came pre-drawn with no needles attached. We have ordered 100 additional doses to be given at the Sr. Center.

7:45 **Administrative Assistant's Report**

St. Mary's Magdalan Church – BOH has received complaint from neighbor of trash from church flying onto his property and dumpster was being emptied between 2 and 4 am. BOH regulation does not permit picking up before 7 am or after 11 pm. KS has sent letter to church regarding issues and as of today, the BOH has not received response.

43 and 47 Tyng Road – received email from Mathew Thoren from 47 Tyng Road. He had testing done on his water and air quality in his house. The result came back with radon. He wants to raise awareness for other residents and want to know if the BOH has any EPA programs in Tyngsborough. He is also complaining of his neighbor at 43 Tyng Road, claiming house is an “eye-sore” and neighbors had complained to him of gas odor. He had made the complaint back in December 2010. Karen had done research and found the house was bought with cash and Title V was never done. As of right now, the house is unoccupied.

(FW left early due to prior engagement). FW wanted KS to send all letters to him before sending them out. She wanted to know if all BOH members want to approve the letters before she send them out. Letters may include certificate of compliance, variance approvals, standard letters for Title V, etc. SP does not want to approve all letters, only letters that may be an issue or the Board should be aware of. Matter to be taken up at a later meeting when all members are present.

8:17 **BH: Motion to adjourn**

CM: **2nd the motion**

Vote: yes – 3 Opposed – 0

Respectfully for the Board of Health
Kerri C. Oun
Health Agent